

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
FREDERICK J. KEITEL, III et al.,
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Plaintiffs,
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21-CV-8537 (JMF)

-v-
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ORDER
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THOMAS B. D'AGOSTINO, SR. et al.,
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Defendants.
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JESSE M. FURMAN, United States District Judge:


On October 26, 2023, Defendants filed a “Notice of Non-Compliance” alleging that Plaintiff Frederick J. Keitel, III has failed to comply with this Court’s Opinion and Order of May 19, 2023, directing him to file the Opinion and Order in every pending case in which he was involved by June 19, 2023, with proof filed in this action. *See* ECF No. 148; *see also* ECF No. 119. In particular, Defendants allege that Keitel has, to date, failed to file the Opinion and Order in *Frederick J. Keitel, III v. Peter J. Callahan et al.*, an appeal pending in the Fourth District Court of Appeals of the State of Florida. *See* ECF No. 148, ¶¶ 2-4. On October 30, 2023, the Court endorsed the “Notice of Non-Compliance” directing Keitel to file a response by November 3, 2023, and to explain in his response “if and why he has failed to comply with the Court’s Order dated May 19, 2023.” ECF No. 149.

Keitel has not filed a response to date. Upon reflection, however, the Court is concerned that its endorsement of October 30, 2023, was not served on Keitel because he is a *pro se* litigant and thus does not have ECF privileges. Accordingly, and out of an abundance of caution, the Court extends until **November 21, 2023**, Keitel’s deadline to file a response. Per the Court’s prior endorsement, Keitel shall explain in his response if and why he has failed to comply with the Court’s Order dated May 19, 2023. If he has not complied with the Court’s Order, he should further show cause why he should not be held in contempt of Court.

The Clerk of Court is directed to mail a copy of this Order to Frederick J. Keitel, III, P.O. Box 3243, Palm Beach, FL 33480. No later than **November 9, 2023**, Defendants shall email a copy of this Order to rickkeitel@aol.com and promptly file proof of such service.

SO ORDERED.

Dated: November 8, 2023
New York, New York



JESSE M. FURMAN
United States District Judge